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The republican tradition is, as Professor Solum rightly observes, composed of many diverse strands.[1] Contemporary theorists of civic republicanism have drawn inspiration from a wide range of sources, extending from Aristotle to Jürgen Habermas. It has not escaped the notice of Professor Solum that Aristotle and Habermas are perhaps rather odd bedfellows, and that a republican tradition that encompasses both of them is in that respect perhaps a rather odd tradition. A primary concern of Habermas is to secure an equality of "communicative opportunities" for women, workers, and those who tend to lack power and influence in their society. Whatever relevance for the republican tradition one may wish to draw from Aristotle, I don't think it could be said that securing equal "communicative opportunities" for women, workers, and those otherwise marginalized in the polis, figured among his leading concerns. To put it simply, Habermas is a liberal; Aristotle was not a liberal. (It is rather striking that on Solum's account, Habermas and John Stuart Mill appear more or less indistinguishable!) However, we should remember that the interest in civic republicanism within contemporary political theory arose as a way of formulating a set of critical challenges addressed to liberalism. In view of this context of contemporary debates, I want very briefly to consider certain republican challenges to Habermas' liberalism.

Like a good liberal, Habermas' overriding concern as a theorist is not the substance of political deliberation, or the quality of civic ties, but rather the formal question of who is admitted to the conversation, or who gets to talk, and according to which rules. Habermas and his followers are mistrustful of contemporary neo-Aristotelianism, viewing this as involving a philosophically suspect essentialism, or an illegitimate determination of politics by a substantive metaphysics. They tend to prefer lines of philosophical thought drawn from Kant, replicating Kantian formalism, which brings them into surprising proximity to John Rawls and other Kantian liberals.

The problem in considering Habermas as a source of republican the-

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1. Solum, *Virtues and Voices*, 66 CHI.-KENT L. REV. 111 (1990).

ory can be seen by looking at him in relation to a central figure of the republican tradition who appears as egalitarian as Habermas relative to Aristotle, yet as illiberal as Aristotle relative to Habermas—namely Rousseau. It was clear to Rousseau, no less than it was to Burke, that bonds of political community would dissolve if exposed to the cold glare of rational scrutiny: civic solidarity depends more on shared sentiment than on shared reason. What matters above all are the habits and sentiments constitutive of the living ethos of a political community. Habermas' preoccupation is not merely to include the excluded and empower those who are marginalized, but to submit all moral and political commitments to the test of rational criteria—lest our political affiliations turn out to be merely the expression of unseen coercion and asymmetries of power. Habermas celebrates civic dialogue under the banner of the Enlightenment. In agreement with the fundamental premises of every thoroughgoing liberalism, the assumption here is that the only social involvements that are morally legitimate are those founded on rational reflexivity and self-consciousness. I must detach myself and be able rationally to reaffirm my attachment to a social order or a set of social relationships. It is open to question whether membership in a republican community (or any community) could ever fully meet this test.

Professor Solum, like Professor Sunstein in his instructive essay *Beyond the Republican Revival*,[2] seeks to articulate a synthetic position—"liberal republicanism." This is an entirely admirable and attractive aspiration. They both want to strengthen the possibilities of civic virtue within liberal society, while offsetting the exclusionary tendencies of (at least some strands of) the republican tradition by appealing to the inclusivity and universalism of liberal thought. As I said, it is easy to appreciate the appeal of a theoretical position that retains the finest resources of the republican legacy, while reinforcing republican egalitarianism with the more rigorous egalitarianism of contemporary liberalism. It would indeed be nice if we could have our republican cake without relinquishing the liberal prerogative of eating it as well. It is certainly true that in the work of a good many liberal writers, such as John Stuart Mill (and even more so Tocqueville), republican themes are as discernible as liberal themes. However, I remain convinced that a primary reason for the "republican revival" has been its critical function in exploring and articulating deficiencies in liberalism, and that republican theory will continue to find adherents attracted by its provision of a vocabulary for critical reflection on the discontents of liberal society. So I think we have

2. Sunstein, *Beyond the Republican Revival*, 97 YALE L.J. 1539 (1988).

some reason to hope that Professors Solum and Sunstein don't succeed too well in their endeavor at mediating the tension between liberalism and republicanism.